

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOSE L. GALLARDO,	)	
	)	4:06CV3091
Plaintiff,	)	
	)	
v.	)	
	)	ORDER
HAROLD W. CLARK, et al,	)	
	)	
Defendants.	)	
_____	)	

This matter is before the court on plaintiff's motion to dismiss, Filing No. 73, and subsequently, plaintiff's motion to strike or withdraw his motion to dismiss, Filing No. 74, by and through his attorney Roger Roots. The court has reviewed the record and finds the motion to strike should be granted.

THEREFORE, IT IS ORDERED that:

1. Plaintiff's motion to strike or withdraw motion, Filing No. 74, is granted; and
2. Filing No. 73 is stricken.

DATED this 29<sup>th</sup> day of May, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Court